IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

Bail Appl..No. 7196 of 2006()

CRIME NO. NOT KNOWN – PATHANAMTHITTA POLICE STATION

PETITIONERRS/ACCUSED (RANK NOT KNOWN)

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1. MOHANDAS, AGED 53 YEARS, S/O. DIVAKARAN,
   KUTTIYIL HOUSE, OMALLUR P.O.,
   PATHANAMTHITTA.

2. MANESH MOHAN, S/O. MOHANDAS,
   -DO- -DO-

3. MAJESH MOHAN, S/O. MOHANDAS,
   -DO- -DO-

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENT: STATE OF KERALA

THE STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. Ramkumar, J.
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B.A.No.7196 of 2006
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Dated this the 6th day of December, 2006.

ORDER

Petitioners seek anticipatory bail on the allegation that the Pathanamthitta Police are after them in connection with a complaint alleging that the petitioners collected Rs.1,00,000/- from one Dhanya, daughter of one Thankappan to secure admission for M.B.B.S. course.

2. The learned Public Prosecutor on instructions submitted that the petitioners are accused Nos. 1 to 3 in Crime No.1002 of 2006 of Pathanamthitta Police Station for an offence punishable under Section 420 read with Section 34 I.P.C. Having regard to the allegations in the complaint, the same appears to be a money dispute. According to the petitioners, the candidate who sought admission for M.B.B.S. course was deficient in the requisite percentage of marks and the College where the admission was promised would still admit her provided she pays the amount

demanded by them. In the nature of these averments, I am inclined to grant anticipatory bail to the petitioners. Accordingly,

a direction is issued to the Sub Inspector of Police, Pathanamthitta Police Station to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Sundays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the

meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.Ramkumar,
Judge.

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